

Notice of Allowability

Application No.

10/092,638

Examiner

Christopher R. Tate

Applicant(s)

LIU, YAGUANG

Art Unit

1654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed February 5, 2004.
2. ☒ The allowed claim(s) is/are 29.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Christopher R. Tate
Primary Examiner
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The response with amendments filed February 5, 2004 has been received and entered.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Yaguang Liu on April 22, 2004.

IN THE CLAIMS:

Claim 28 has been canceled and replaced with the following claim, claim 29:

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29. A process for producing resveratrol in the form of dried white crystals from peanut oil residue and/or from peanut stems comprising:

(a) extracting a ground dried powder of the peanut oil residue and/or the peanut stems with 95% ethanol to obtain a crude extract;

(b) mixing and filtering the crude extract to obtain a filtercake and filtrate;

(c) refluxing the filtercake twice with 95% ethanol in a steam bath to obtain a refluxed extract;

(d) concentrating the filtrate obtained in step (b) and the refluxed extract obtained in step (c) under reduced pressure, and recovering the ethanol and still residue therefrom;

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- (e) extracting the still residue with a mixture of water and ethyl ether;
- (f) separating and recovering the ethyl ether and still residue from step (e);
- (g) adding hot water to the still residue obtained in step (f) in a steam bath to form a suspension;
- (h) cooling and filtering the suspension to obtain a filtrate;
- (i) adding active carbon to the filtrate obtained in step (h) in a steam bath with agitation;
- (j) removing the active carbon by filtration to obtain a filtrate;
- (k) concentrating the filtrate obtained in step (j) under reduced pressure, and cooling the concentrated filtrate;
- (l) crystallizing the concentrated filtrate by adding ethyl ether to the concentrated filtrate to obtain crystals;
- (m) collecting the crystals by filtration;
- (n) dissolving the crystals in 30% NaOH to form a solution;
- (o) decolorizing the solution by contacting the solution with active carbon;
- (p) concentrating the decolorized solution under reduced pressure to obtain white crystals;
- (q) collecting the white crystals by filtration; and
- (r) drying the white crystals under vacuum.

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Claim 29 is allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Tate whose telephone number is (571) 272-0970. The examiner can normally be reached on Mon-Thur, 6:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brenda Brumback can be reached on (571) 272-0961. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Christopher R. Tate
Primary Examiner
Art Unit 1654